

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.10.2018

CORAM :

The Hon'ble Mrs.V.K.TAHILRAMANI, CHIEF JUSTICE

AND

The Hon'ble Mr.JUSTICE M.DURAI SWAMY

W.P. No.26882 of 2018

Saroja Ammal

.. Petitioner

-vs-

- 1.The Presiding Officer,
Debt Recovery Tribunal (DRT III),
Chennai.
- 2.The General Manager,
Indian Overseas Bank,
Head Office
No.763, Anna Salai, Chennai - 600 002.
- 3.Indian Overseas Bank,
Thanjavur Main Branch,
rep. by its Chief Manager,
No.1604, South Main Road,
Thanjavur-613 009.
- 4.The Authorised Officer,
Indian Overseas Bank,
Thanjavur Main Branch,
T.S.No.1604 South Main Street,
Thanjavur-613 009.
- 5.M/s.Sri Sayee Associates,
rep. by its Partner D.Murugesan,
No.3/2A, Periyar Nagar, 4th Street,
Medical College Road,
Thanjavur.

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6.M/s.Sri Sayee Enterprises,
rep. by its Proprietor D.Murugesan,
No.19, Rajaji Road,
Srinivasapuram, Thanjavur.

7.Murugesan
8.D.Vimala

.. Respondents

Petition filed under Article 226 of the Constitution of India praying for issue of Writ of Certiorarified Mandamus calling for the records pertaining to the E-auction sale notice dated 19.09.2018 and Public Notice for E-Auction dated 20.09.2018 issued by the 4th respondent representing the Bank and quash the same and direct the respondents 2 to 4 to arrive at the actual amount of secured debt by giving credit of a sum of Rs.2,80,00,000/- paid by the petitioner so far.

For Petitioner : Ms.S.Vijayalakshmi

ORDER

Learned counsel for the petitioner seeks leave of this Court to withdraw the writ petition with liberty to approach the Debts Recovery Tribunal. The learned counsel for the petitioner has also made an endorsement to that effect.

2. In view of the above, the writ petition is allowed to be withdrawn with liberty as prayed. If the petitioner approaches the Debts Recovery Tribunal, the Debts Recovery Tribunal shall decide the matter in accordance with law.

3. The writ petition is, accordingly, dismissed as withdrawn. No costs. Consequently, W.M.P.No.31226 of 2018 is closed.

सत्यमेव जयते

Sd/-
Assistant Registrar(CCC)

//True Copy//

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Sub Assistant Registrar

To

1.The Presiding Officer,
Debt Recovery Tribunal (DRT III), Chennai.

2.The General Manager,
Indian Overseas Bank,
Head Office No.763, Anna Salai, Chennai - 600 002.

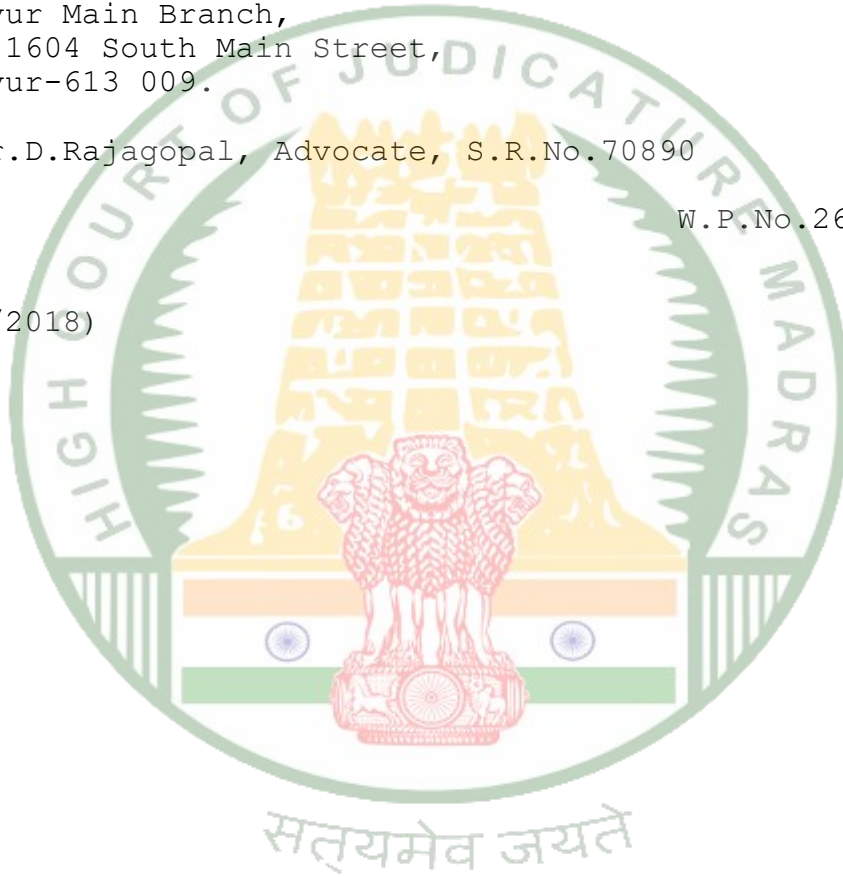
3.The Chief Manager,
Indian Overseas Bank,
Thanjavur Main Branch,
No.1604, South Main Road, Thanjavur-613 009.

4.The Authorised Officer,
Indian Overseas Bank,
Thanjavur Main Branch,
T.S.No.1604 South Main Street,
Thanjavur-613 009.

+1cc to Mr.D.Rajagopal, Advocate, S.R.No.70890

W.P.No.26882 of 2018

VBA(CO)
GSP(12/10/2018)



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